

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Tohru KIMURA) Prior Application Group Art Unit: 2872
)
Application No.: Not Assigned) Prior Application
) Examiner: Leonidas Boutsikaris
Filed: December 5, 2003)
)
For: ABERRATION COMPENSATING)
OPTICAL ELEMENT, OPTICAL)
PICKUP DEVICE, RECORDER)
AND REPRODUCER)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed along with the above-identified application.

Copies of the listed documents were previously submitted in a prior application, application no. 10/191,478, filing date July 10, 2002, upon which applicant relies for the benefits provided in 35 U.S.C. § 120. Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed

documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 5, 2003

By: 

Michael R. Kelly
Reg. No. 33,921

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER ^{LLP}

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

INFORMATION DISCLOSURE CITATION

Atty. Docket No.	08830.0002-01	Serial No.	Not Assigned
Applicant	Tohru KIMURA		
Filing Date	December 5, 2003	Group:	Not Assigned

U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	5,349,471	09/1994	Morris	359	565	
	5,623,365	04/1997	Kuba	359	569	
	6,449,095	09/2002	Ohtaki	359	566	

FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
11-174318	7/2/99	Japan			Abstract
61-003110	1/9/86	Japan			Abstract
06-082725	3/25/94	Japan			Abstract
62-286009	12/11/87	Japan			Abstract

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner	Date Considered
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce